

Goa, 9th April, 1970 (Chaitra 19, 1892)

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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN  
AND DIU

Special Department

Notification

OSD/RRVS/7/67-II

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and

- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

K. N. Srivastava

Chief Secretary

Panaji, 2nd March, 1970.

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Class III posts in the Common Statistical Cadre under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government, Common Statistical Cadre (Class III, non-ministerial, non-gazetted posts) Recruitment Rules, 1970.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment of the said posts, age limit, qualifications and other matters

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# SCHEDULE

24

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Statistical Assistant	24	Class III (non-ministerial, non-gazetted)	Rs. 210-10-290-15-320-EB-15-425.	Selection	25 years and below. (Relaxable for Govt. servants).	<p><i>Essential:</i></p> <p>1. Degree in Statistics, Economics, Maths or Commerce.</p> <p><i>Desirable:</i></p> <p>1. About two years experience in Statistical work or in field enquiries.</p>	N. A.	Two years	25% by direct recruitment 75% by promotion.	<p><i>Promotion:</i></p> <p>Investigators having 3 years' experience in the grade and Draftsmen with five years service in the grade.</p>	Class III DPC	As required under the rules.
2. Draftsmen	2	— do —	Rs. 205-7-240-8-280.	— do —	18 to 25 years (Relaxable for Govt. servants).	<p><i>Essential:</i></p> <p>1. S.S.C. or equivalent. 2. Diploma in Draftsmen Course.</p> <p><i>Desirable:</i></p> <p>Two years experience as draftsmen.</p>	— do —	— do —	Direct recruitment	N. A.	N. A.	— do —
3. Investigator	57	— do —	Rs. 150-5-160-8-240-EB-8-280-10-300.	— do —	— do —	<p><i>Essential:</i></p> <p>1. Intermediate or equivalent.</p> <p><i>Desirable:</i></p> <p>Degree in Statistics, Economics, Maths or Commerce.</p>	— do —	— do —	— do —	— do —	— do —	— do —

## Local Self Government Department

## Notification

LSG/MUN/1435/69

In exercise of the powers conferred by sub-section (2) of section 306, read with sub-section (1) of sections 9, 50 and sub-section (7) of section 51 of the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969) and of all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules, the same having been previously published as required by sub-section (3) of the said section 306, of the said Act, namely:—

1. **Short title.**— These rules may be called the Goa, Daman and Diu Municipal Councils (Cooption of Councillors) Rules, 1969.

2. **Definitions.**— In these rules, unless the context otherwise requires, —

(a) "Act" means the Goa, Daman and Diu Municipalities, Act, 1968;

(b) "continuing candidates" means any candidate not elected and not excluded from the poll at any given time;

(c) "count" means —

- (i) all the operations involved in the counting of the first preferences recorded for candidates; or
- (ii) all the operations involved in the transfer of the surplus of an elected candidate; or
- (iii) all the operations involved in the transfer of the total value of votes of an excluded candidate;

(d) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate, provided that a paper shall also be deemed to have become exhausted whenever —

- (i) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference; or
- (ii) the name of the candidate next in order of preference, whether continuing or not, is marked by a figure not following consecutively after some other figure on the ballot paper or by two or more figures;

(e) "first preference" means the figure 1 set opposite the name of a candidate; "second preference" means the figure 2 set opposite the name of a candidate; "third preference" means the figure 3 set opposite the name of a candidate, and so on;

(f) "original vote", in relation to any candidate, means a vote derived from a ballot paper on which a first preference is recorded for such candidate;

(g) "presiding authority" means the President, the Vice-President or any Councillor presiding at the meeting of the Council at which co-option of Councillors is to be made;

(h) "section" means a section of the Act;

(i) "surplus" means the number by which the value of the votes, original and transferred, of any candidate exceeds the quota calculated in accordance with rule 11;

(j) "transferred vote", in relation to any candidate, means a vote the value or the part of the value of which is credited to such candidate, and which is derived from a ballot paper on which a second or a subsequent preference is recorded for such candidate;

(k) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate;

(l) words or expressions used in these rules, but not defined, shall have the meanings, respectively, assigned to them in the Act.

3. **Filing of nominations.**— (1) Not later than twelve noon on the working day immediately preceding the day fixed for the meeting of the Council at which co-option of Councillors is to be made, any elected Councillor may nominate any person as a candidate, who is eligible for being co-opted, by delivering to the Chief Officer a nomination paper, in the Form appended to these rules, duly filled in and signed by himself as proposer. The declaration therein shall be signed by the candidate.

(2) On receipt of a nomination paper, the Chief Officer shall duly fill in the endorsement on the Form.

(3) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper.

4. **Scrutiny of nominations and withdrawal of candidature.**— (1) At the commencement of the proceedings for co-option, the presiding authority shall scrutinise all nomination papers received by the Chief Officer and record his decisions thereon. The presiding authority shall not reject any nomination paper on the ground of any defect, which is not of a substantial character. If any nomination paper is rejected by the presiding authority, he shall record in writing, a brief statement of his reasons for such rejection. He shall then read out to the meeting the names of the candidates, who in his opinion have been validly nominated, together with the names of their proposers.

(2) Any candidate whose nomination paper is delivered to the Chief Officer may attend the meeting from the commencement of the proceeding for co-option till the time for withdrawal of candidature expires.

(3) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the presiding authority within fifteen minutes from the time of reading out the names of validly nominated candidates. Such notice may be delivered either by the candidate in person or by his proposer duly authorised by the candidate in this behalf.

(4) No candidate who has delivered or caused to be delivered such notice shall be allowed to cancel it.

(5) The presiding authority shall, on being satisfied as to the genuineness of a notice of withdrawal and identity of the person delivering it, read out to the Councillors present at the meeting the names of

the candidates who have withdrawn their candidature.

**5. Procedure for co-option.** — (1) If the number of validly nominated candidates who have not withdrawn their candidature is equal to or less than the number of persons to be co-opted, the presiding authority shall forthwith declare all such candidates to be duly co-opted, and the remaining Councillor or Councillors (if any) may be co-opted at any subsequent meeting.

(2) If the number of validly nominated candidates who have not withdrawn their candidature is more than the number of persons to be co-opted, the elected Councillors present at the meeting may proceed to co-opt the persons in the manner hereinafter specified or if the presiding authority so decides the meeting be adjourned and co-option may be made at the adjourned meeting.

(3) The co-option of persons shall be made in accordance with the system of proportional representation by means of the single transferable vote and the voting for the purpose by the elected Councillors shall be by secret ballot. The presiding authority shall furnish each elected Councillor at the meeting with a ballot paper prepared in the following form: —

### BALLOT PAPER

The ..... Municipal Council

Name of persons validly nominated for co-option and who have not withdrawn their candidature	Order of preference.
--	----------------------

1. ....	
2. ....	
3. ....	
4. ....	
etc.	

Signature of the Presiding  
Authority.

Date .....

(a) Names of the contesting candidates shall be arranged on the ballot paper in alphabetical order determined with reference to the surnames of the candidates having surnames, and the names proper of other candidates. The particulars in the ballot paper and the alphabetical order to be followed shall be in English as provided for in clause (12) of section 78 of the Act, for keeping the minutes.

(b) Each ballot paper shall be signed by the presiding authority.

**6. Method of voting.** — (1) Every elected Councillor shall have only one vote at the election irrespective of the number of persons to be co-opted as Councillors.

(2) Councillor giving his vote —

(a) shall place on his ballot paper the figure 1 in the space opposite the name of the candidate for whom he wishes to vote in the first instance; and

(b) may, in addition, place on his ballot paper the figure 2, or the figures 2 and 3, or the figures

2, 3 and 4 and so on in the space opposite the names of the other candidates in the order of his preference.

**7. Voting procedure.** — (1) The Councillor on receiving the ballot paper shall forthwith —

(a) proceed to the voting compartment;

(b) record his vote in accordance with sub-rule (2) of rule 6;

(c) fold the ballot paper so as to conceal his vote;

(d) insert the folded ballot paper into the ballot box.

(2) Every Councillor shall vote without undue delay and quit the voting compartment.

(3) No Councillor shall be allowed to enter a voting compartment when another Councillor is inside it.

**8. Scrutiny of ballot papers.** — (1) As soon as may be after the voting is over, the presiding authority shall, in the presence of the Councillors present, proceed to scrutinise the ballot papers taken out of the ballot box and separate the ballot papers which he deems valid from those which he rejects endorsing on each of the latter the word "Rejected" and the ground of rejection.

(2) A ballot paper shall be invalid on which —

(a) the figure 1 is not marked; or

(b) the figure 1 is set opposite the name of more than one candidate or is so placed as to render it doubtful to which candidate it is intended to apply; or

(c) the figure 1 and some other figures are set opposite the name of the same candidate; or

(d) there is any mark or writing by which the Councillor casting the vote can be identified.

**9. Arrangement of valid ballot papers in parcels.** — After rejecting the ballot papers which are invalid, the presiding authority shall —

(a) arrange the remaining ballot papers in parcels according to the first preference recorded for each candidate;

(b) count and record the number of papers in each parcel and the total number; and

(c) credit to each candidate the value of the papers in his parcel.

**10. Counting of votes where only one person is to be co-opted.** — (1) At any election where only one person is to be co-opted as a Councillor, every valid ballot paper shall be deemed to be of the value of 1 at each count, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows: —

(a) add the value credited to all the candidates under clause (c) of rule 9;

(b) divide the total by 2; and

(c) add 1 to the quotient ignoring the remainder, if any, the resulting number is the quota.

(2) If, at the end of the first or any subsequent count, the total value of the ballot papers credited to any candidate is equal to, or greater than, the quota or there is only one continuing candidate, that candidate shall be declared elected.

(3) If, at the end of any count, no candidate can be declared elected, the presiding authority shall —

(a) exclude from the poll the candidate who upto that stage has been credited with the lowest value;

(b) examine all the ballot papers in his parcel and sub-parcels, arrange the unexhausted papers in sub-parcels according to the next available preferences recorded thereon for the continuing candidates, count the number of papers in each such sub-paragraph and credit it to the candidate for whom such preference is recorded, transfer the sub-paragraph to that candidate, and make a separate sub-paragraph of all the exhausted papers; and

(c) see whether any of the continuing candidates has, after such transfer and credit, secured the quota.

(4) If, when a candidate has to be excluded under clause (a) of sub-rule (3), two or more candidates have been credited with the same value and stand lowest on the poll, the candidate for whom the lowest number of original votes are recorded shall be excluded, and if this number also is the same in the case of two or more candidates, the presiding authority shall decide by lot which of them shall be excluded.

**11. Ascertainment of quota when more than one person is to be co-opted.** — At any election where more than one person is to be co-opted as a Councillor, every valid ballot paper shall be deemed to be of the value of 100, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows: —

(a) add the values credited to all the candidates under clause (c) of rule 9;

(b) divide the total by a number which exceeds by 1 the number of persons to be co-opted as Councillors; and

(c) add 1 to the quotient ignoring the remainder, if any, and the resulting number is the quota.

**12. General instruction.** — In carrying out the provisions of rules 13 to 17 the presiding authority shall disregard all fractions and ignore all preferences recorded for candidates already elected or excluded from the poll.

**13. Candidates with quota elected.** — If at the end of any count or at the end of the transfer of any parcel or sub-paragraph of an excluded candidate the value of the ballot papers credited to a candidate is equal to, or greater than the quota, that candidate shall be declared elected.

**14. Transfer of surplus.** — (1) If at the end of any count the value of the ballot papers credited to a candidate is greater than the quota, the surplus shall be transferred, in accordance with the provisions of this rule, to the continuing candidates indicated on the ballot papers of that candidate as being next in order of the electing Councillor's preference.

(2) If more than one candidate have a surplus, the largest surplus shall be dealt with first and the others in order of magnitude:

Provided that, every surplus arising on the first count shall be dealt with before those arising on the second count and so on.

(3) Where there are more surpluses than one to distribute and two or more surpluses are equal, regard shall be had to the original votes of each candidate and the candidate for whom most original votes are recorded, shall have his surplus first distributed; and if the value of their original votes are equal, the presiding authority shall decide by lot which candidate shall have his surplus first distributed.

(4) (a) If the surplus of any candidate to be transferred arises from original votes only, the presiding authority shall examine all the papers in the parcel belonging to that candidate, divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon and make a separate sub-paragraph of the exhausted papers.

(b) He shall ascertain the value of the papers in each sub-paragraph and of all the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus he shall transfer the sub-parcels of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the presiding authority shall re-examine all the papers in the sub-paragraph last transferred to the candidate, divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon, and then deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in sub-rule (4).

(6) The papers transferred to each candidate shall be added in the form of a sub-paragraph to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-paragraph of an elected candidate not transferred under this rule shall be set apart as finally dealt with.

**15. Exclusion of candidates lowest on the poll.** —

(1) If after all surpluses have been transferred as hereinbefore provided, the number of candidates elected is less than the required number, the presiding authority shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon; and any exhausted papers shall be set apart as finally dealt with.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which, and at the value at which, he obtained them.

(4) Each of such transfers shall be deemed to be a separate transfer but not a separate count.

(5) If, as a result of the transfer of papers, the value of votes obtained by a candidate is equal to or greater than the quota, the count then proceeding shall be completed but no further papers shall be transferred to him.

(6) The process directed by this rule shall be repeated on the successive exclusions one after another of the candidates lowest on the poll until such co-option is made either by the election of a candidate with the quota or as hereinafter provided.

(7) If at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are the lowest on the poll, regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall be excluded; and if the values of their original votes are equal the candidate with the smallest value at the earliest count at which these candidates had unequal values shall be excluded.

(8) If two or more candidates are lowest on the poll and each has the same value of votes at all counts the presiding authority shall decide by lot which candidate shall be excluded.

**16. Filling the last vacancies.**— (1) When at the end of any count the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When at the end of any count only one vacancy remains unfilled and the value of the papers of some one candidate exceeds the total value of the papers of all the other continuing candidates together with any surplus not transferred, that candidate shall be declared elected.

(3) When at the end of any count only one vacancy remains unfilled and there are only two continuing candidates and each of them has the same value of votes and no surplus remains capable of transfer, the presiding authority shall decide by lot which of them shall be excluded; and after excluding him in the manner aforesaid, declare the other candidate to be elected.

**17. Provision for re-counts.**— (1) Any Councillor present at the meeting may, at any time during the counting of the votes, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise), request the presiding authority to re-examine and re-count the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the presiding authority shall forthwith re-examine and re-count the same accordingly.

(2) The presiding authority may in his discretion re-count the votes either once or more than once in any case in which he is not satisfied as to the accuracy of any previous count:

Provided that, nothing in this sub-rule shall make it obligatory on the presiding authority to re-count the same votes more than once.

**18. Declaration of results.**— Upon the completion of counting, the presiding authority shall forthwith declare the result of the election.

**19. Publication of results.**— When any candidates are declared to be duly co-opted under these rules, the names of such co-opted Councillors shall, as soon as may be, be reported by the President to the Director for publication in the Official Gazette.

**20. Casual vacancies.**— When a seat of a co-opted Councillor becomes vacant, the provisions of these rules shall *mutatis mutandis* apply for filling the vacancy.

**Form of Nomination Paper for Co-option as Councillor**  
(See rule 3)

1. Name of the Municipal Council ...
2. Full name of the candidate (beginning with surname, if any) ...
3. Full residential address of the candidate ...
4. Age of the candidate ...
5. Sex of the candidate ...
6. Electoral roll number of the candidate ...
7. Details of special knowledge or practical experience of the candidate, in the field of public health, Local Self Government or education ...
8. Full name of the proposer beginning with surname, (if any) ...
9. Full residential address of the proposer ...

Date ...

Signature of the Proposer

**DECLARATION BY THE CANDIDATE**

I, the abovenamed candidate, give my consent to the nomination for co-option as a Councillor of the ... Municipal Council.

Date ...

Signature of the Candidate

**Endorsement of the Chief Officer**

Serial number of the nomination paper ...

This nomination paper was delivered to me by ... (name of proposer) at my office at ... (hour) on ... (date).

Date ...

Signature of the Chief Officer

By order and in the name of the Administrator of Goa, Daman and Diu.

A. N. Dixit, Secretary to Government.

Panaji, 9th March, 1970.

## Notification

1364/PS/WLA-41/69-70

Power of entry, search, arrest, and detention and power to release the property

In exercise of the powers conferred by Section 38 of the Goa, Daman and Diu Wild Animals and Wild Birds Protection Act, 1965 in its application to the Union Territory of Goa, Daman and Diu, the Wild Life Preservation Officer is pleased to empower the Range Forest Officers and Game Wardens to —

- (1) (a) require any such person to produce for his inspection any animal, bird, meat or trophy in his possession or any licence, permit or other document issued to him or required to be kept by him under the provisions of this Act;
- (b) enter and search any premises, land, vehicle or boat, in the occupation of such person and open and search any baggage or other things in his possession;
- (c) seize any animal, bird, meat or trophy in the possession of any person and appearing to him to be the property of the Government of Goa, Daman & Diu together with any vehicle, weapon, trap or tools used for committing any such offence, and unless he is satisfied that such person will appear and answer any charge which may be preferred against him, without warrant, arrest and detain him.

(2) Any Officer, of a rank not inferior to that of an Assistant Game Warden, who or whose subordinate, has seized any vehicle, weapon, trap or tools, under clause (c) of sub-section (1), may release the same on the execution by the owner thereof, of a bond for the production of the property so released, if and when so required, before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

(3) It shall be lawful for any of the officers referred to in sub-section (2) to stop and detain any person whom he sees doing any act for which a licence or permit is required under the provisions of this Act for the purposes or requiring such person to produce his licence or permit, and if such person fails to produce his licence or permit, as the case may be, he may be arrested without a warrant, unless he furnishes his name and address and otherwise satisfies the Officer arresting him that he will duly answer any summons or other proceedings which may be taken against him.

(4) Any person detained, or things seized under the foregoing powers, shall forthwith be taken before a Magistrate to be dealt with according to law.

(5) Any person who, without reasonable cause, fails to produce anything which under the powers conferred by this section he is required to produce, shall be guilty of an offence, against this Act.

G. R. Mavinkurve, Wild Life Preservation Officer.

Panaji, 25th February, 1970.

Phalgun 6, 1891.

## Labour and Information Department

## ORDER

LC/12/EPF/70

The following notifications from the Government of India, Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment), New Delhi are hereby republished for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. R. Vaze, Under Secretary, Industries & Labour Department.

Panaji, 25th March, 1970.

## Notification

13(9)68-PF. II

Dated 26th February, 1970

G. S. R. — In exercise of the powers conferred by section 5, read with sub-section (1) of section 7, of the Employees Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952 namely: —

1. This Scheme may be called Employees' Provident Funds (Amendment) Scheme, 1970.

2. In paragraph 60 of the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme), in sub-paragraph (2), the following Explanation shall be added at the end, namely: —

"Explanation: — If an establishment is covered for the first time under the Act/Scheme during the course of the currency period, the interest for the first currency period shall be allowed on the balance, if any, at the credit of the member on the first day of the currency period".

3. In Form "3A" of the said Scheme —

- (1) the letter and brackets "(A)" appearing after item (6) at the top of the Table shall be omitted;
- (2) the paragraph (B) appearing after the Table shall be omitted;
- (3) in the Note, for the figure '3', the figure and letter "3A" shall be substituted.

Sd/-

DALJIT SINGH

Under Secretary.

## Notification

15/9/63-PF. II

Dated 25th February, 1970

G. S. R. — In exercise of the powers conferred by the first proviso to section 6 of the Employees' Pro-



vident Funds Act, 1952 (19 of 1952), the Central Government, after having enquired into the matter, hereby specifies that, with effect from the 1st March, 1970, section 6 of the said Act shall, in its application to every establishment engaged in the manufacture of textiles made wholly or in part of Jute and employing fifty or more persons, be subject to

the modification that for the words "six and a quarter per cent" the words "eight per cent" were substituted.

Sd/-

T. S. SANKARAN

Joint Secretary to the Government of India.